

FILED

**United States Court of Appeals
Tenth Circuit**

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

September 20, 2013

**Elisabeth A. Shumaker
Clerk of Court**

TRUSTEES OF THE COLORADO
CEMENT MASONS PENSION TRUST
FUND; TRUSTEES OF THE
COLORADO CEMENT MASONS
APPRENTICE TRUST FUND;
TRUSTEES OF THE COLORADO
LABORERS HEALTH AND WELFARE
TRUST FUND,

Plaintiffs - Appellants,

and

TRUSTEES OF THE COLORADO
CEMENT MASONS' JOINT
APPRENTICESHIP TRUST FUND;
TRUSTEES OF THE OPERATIVE
PLASTERERS & CEMENT MASONS
HEALTH BENEFIT FUND,

Plaintiffs,

v.

M&R CONCRETE, INC., a Colorado
corporation; M&R FLATWORK, INC., a
Colorado corporation,

Defendants - Appellees.

No. 13-1039
(D.C. No. 1:11-CV-00879-RBJ-CBS)

ORDER

Before **MATHESON, MCKAY**, and **EBEL**, Circuit Judges.

The stipulated motion filed by the parties to dismiss the captioned appeal is granted. Each party shall bear its own costs and attorney's fees.

A copy of this order shall stand as and for the mandate of this court.

Entered for the Court

A handwritten signature in cursive script, reading "Elisabeth A. Shumaker", followed by a horizontal flourish.

ELISABETH A. SHUMAKER, Clerk